

Ordinance of the City of Jersey City, N.J.

File No. Ord. 22-071
Agenda No. 3.4 (1st Reading)
Agenda No. 4.4 (2nd Reading and Final Passage)



AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 242 – PEACE AND GOOD ORDER TO PROHIBIT THE USE OF BICYCLES, SCOOTERS, SKATEBOARDS, AND ROLLER SKATES IN PEDESTRIAN PLAZAS.

COUNCIL AS A WHOLE offered and moved adoption of the following ordinance:

WHEREAS, the City of Jersey City has undertaken the development and maintenance of pedestrian malls or pedestrian plazas pursuant to N.J.S.A. 40:56-69 et seq. and Chapter 67 of the City Code; and

WHEREAS, it is in the best interests of the City to keep designated pedestrian malls and plazas free from other vehicles and forms of transportation; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JERSEY CITY AS FOLLOWS:

Chapter 242 – PEACE AND GOOD ORDER

ARTICLE VI - Roller Skates, In-Line Skates, Skateboards, Bicycles and Electric Scooters

§ 242-9.1. Definitions; bicycle riders subject to traffic regulations; riding bicycles on business district public sidewalks prohibited; riding bicycles on public sidewalks in areas outside of business districts prohibited, except for minors age nine and under; use of bicycle lanes and public bicycle parking racks regulated; and safety of cyclist.

A. "Bicycle" means a vehicle propelled by human power upon which a person may ride, having two (2) tandem wheels, either of which is twelve (12) inches or more in diameter, and may be any vehicle generally recognized as a bicycle though equipped with two (2) front or rear wheels.

A "commercial bicycle" is a bicycle owned or operated by (1) a business to deliver food or goods or (2) used as part of "bike share service or program."

B. "Business district" means an area that is a designated Special Improvement District or is zoned for retail use.


C. As used herein, "bicycle parking rack" means a stationary fixture to which a bicycle can be securely attached to prevent theft. It does not include a bicycle docking station.

A "bicycle docking station" means a stationary fixture to which bicycles used as part of a bike share program are attached and made available for use and where these bicycles must be returned at the end of their use.


D. All persons operating bicycles shall have all of the rights and shall obey all applicable laws of the State of New Jersey and ordinances of this city, particularly those regulating traffic. Bicycle riders shall obey the same rules as the drivers of motor vehicles unless inapplicable.

(1) Any person operating a bicycle within a roadway shall obey the instructions of the official traffic control signs, and other control devices applicable to vehicles unless otherwise directed by a police officer.

APPROVED AS TO LEGAL FORM



Business Administrator



Corporation Counsel

An Ordinance amending and supplementing Chapter 242 – Peace and Good Order to prohibit the use of Bicycles, Scooters, Skateboards, and Roller Skates in Pedestrian Plazas.

(2) No person shall ride or operate a bicycle within a roadway in any direction except that permitted of vehicular traffic traveling on the same side of the roadway, or that permitted in a bike lane.

(3) Any person operating a bicycle within a roadway or bike lane shall stop for pedestrians in crosswalks.

E. Every person riding a bicycle within a roadway shall ride as near to the right roadside as practicable exercising due care when passing a standing vehicle or one proceeding in the same direction. A bicyclist may move left under any of the following conditions:

(1) To make a left turn from a left turn lane or pocket;

(2) To avoid debris, drains, or other hazardous conditions on the right;

(3) To pass a slower moving vehicle;

(4) To occupy any available lane when traveling at the same speed as other traffic;

(5) To travel no more than two abreast when traffic is not impeded, but otherwise ride in single file.

F. It shall be unlawful for any person to operate or ride a bicycle in any of the following places:

(1) On any public property where signs are posted by the Traffic Engineer prohibiting such use;

(2) On private property where a sign prohibiting bicycle riding has been posted by the owner, lessee or person in charge of such property;

(3) On sidewalks in business districts;

(4) On sidewalks outside of business district areas, except for minors age nine (9) and under.

(5) On pedestrian malls or pedestrian plazas as defined in § 67-1.

G. Use of bicycle lanes. Whenever a bicycle lane has been established on a roadway, any person operating a bicycle upon the roadway at a speed less than the normal speed of traffic moving in the same direction shall ride within the bicycle lane, except that such person may move out of the lane under any of the following situations:

(1) Whenever overtaking or passing another bicycle, vehicle or pedestrian, within, the lane or about to enter the lane if such overtaking and passing cannot be done safely within the lane.

(2) When preparing for a turn at an intersection or into a private road or driveway.

(3) When reasonably necessary to leave the bicycle lane to avoid debris or other hazardous conditions.

H. No person operating a bicycle shall leave a bicycle lane until the movement can be made with reasonable safety and then only after giving an appropriate signal.

I. In addition to bicyclists, the following are permitted to use bicycle lanes:

(1) Individuals using roller blades, scooters, and skateboards; and

(2) Individuals using motorized wheelchairs with an orange safety flag at least five (5) feet above the street level; and

(3) Bicyclists with attached trailers for children with an orange safety flag attached to the rear of the portage vehicle at least five (5) feet above the street level.

J. Equipment. It shall be unlawful for the driver of the bicycle to wear more than one (1) earphone attached to an audio device while operating a bicycle.

An Ordinance amending and supplementing Chapter 242 – Peace and Good Order to prohibit the use of Bicycles, Scooters, Skateboards, and Roller Skates in Pedestrian Plazas.

K. Carry Articles. No person operating a bicycle shall carry any package device, or article which prevents the rider from keeping both hands upon the handles bars.

L. Clinging to moving motor vehicles is prohibited.

M. Lamps and equipment on bicycles.

(1) Bicycles in use when dark shall be equipped with a lamp on the front which shall omit a white light visible from a distance of at least five hundred (500) feet to the front and with a red reflector on the rear of a type which shall be visible from fifty (50) feet to three hundred (300) feet to the rear. A lamp omitting a red light visible from distance of five hundred (500) feet to the rear may be used in addition to the red reflector.

(2) Bicycles shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement.

(3) Bicycles shall be equipped with a bell to serve as audible signal to vehicles, pedestrians, and other bicyclists.

N. No commercial bicycle shall be permitted to use any publicly-owned bicycle parking rack for a period of more than two (2) consecutive hours. Any owner of a commercial bicycle found to be in violation of this section shall be subject to a minimum fine of one hundred dollars (\$100.00) with a recommended fine of one thousand dollars (\$1,000.00).

§ 242-9.2. Definitions.

[No changes].

§ 242-9.3. Use restricted.

A. No person may ride or use a skateboard or scooter, except as provided herein, on the streets and sidewalks of all commercially zoned districts within the City.

B. No person less than eighteen (18) years of age may ride or use a motorized scooter, motorized skateboard, or motorized roller skates on any roadway, sidewalk or public property within the City of Jersey City. The motor need not be engaged in order for a person to be in violation thereof.

C. No person over the age of ten may ride or use a skateboard, scooter, or roller skates on a pedestrian plaza or pedestrian mall as defined in § 67-1.

NOTE: All new material is underlined words ~~struck through~~ are omitted. For purposes of advertising only, new matter is **boldface** and repealed by *italics*.

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RECORD OF COUNCIL VOTE ON INTRODUCTION – Aug 17 2022						
RIDLEY	AYE	SALEH	AYE	DEGISE	AYE	8-0
PRINZ-AREY	AYE	SOLOMON	AYE	RIVERA	AYE	
BOGGIANO	ABSENT	GILMORE	AYE	WATTERMAN, PRES	AYE	

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING – Sep 8 2022						
RIDLEY	ABSENT	SALEH	AYE	DEGISE	AYE	8-0
PRINZ-AREY	AYE	SOLOMON	AYE	RIVERA	AYE	
BOGGIANO	AYE	GILMORE	AYE	WATTERMAN, PRES.	AYE	

SPEAKERS:


Alya Schermer
Colin Devriies
Antoinette Chess

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY –						
RIDLEY		SALEH		DEGISE		
PRINZ-AREY		SOLOMON		RIVERA		
BOGGIANO		GILMORE		WATTERMAN, PRES.		


RECORD OF FINAL COUNCIL VOTE – Sep 8 2022						
RIDLEY	ABSENT	SALEH	AYE	DEGISE	AYE	8-0
PRINZ-AREY	AYE	SOLOMON	AYE	RIVERA	AYE	
BOGGIANO	AYE	GILMORE	AYE	WATTERMAN, PRES.	AYE	

Adopted on first reading of the Council of Jersey City, N.J. on Aug 17 2022
Adopted on second and final reading after hearing on Sep 8 2022


This is to certify that the foregoing Ordinance was adopted
by the Municipal Council at its meeting on Sep 8 2022



City Clerk



Joyce E. Watterman, President of Council
Approved: Sep 8 2022



Steven M. Fulop, Mayor
Date to Mayor: Sep 9 2022
Approved: Sep 9 2022

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FACT SHEET -

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the ordinance.

Project Manager

John Metro, Business Administrator		2015475147	JMetro@jcnj.org
Department	Department of Administration		
Division	Office of the Business Administrator		

Note: Project Manager must be available by phone during agenda meeting (Wednesday prior to council meeting @ 1:00 p.m.)

Meeting	Regular Meeting of Municipal Council - Aug 17 2022
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Purpose

An Ordinance Amending and Supplementing Chapter 242 – Peace and Good Order to Prohibit the Use of Bicycles, Scooters, Skateboards, and Roller Skates in Pedestrian Plazas

Cost (Identify all sources and amounts)	Contract term (include all)
0	

Approved by
Thomas Slattery, Attorney
John Metro, Business Administrator

Status:
Approved - Aug 05 2022
Approved - Aug 10 2022